

TEXAS ETHICS COMMISSION

IN THE MATTER OF
SANDY GREYSON,
RESPONDENT

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BEFORE THE
TEXAS ETHICS COMMISSION
SC-3150106 AND SC-3150107

ORDER and AGREED RESOLUTION

I. Recitals

The Texas Ethics Commission (Commission) met on April 16, 2015, to consider sworn complaints SC-3150106 and SC-3150107. A quorum of the Commission was present. The Commission determined that there is credible evidence of violations of section 254.063 of the Election Code, a law administered and enforced by the Commission. To resolve and settle these complaints without further proceedings, the Commission proposed this resolution to the respondent.

II. Allegations

The complaints alleged that the respondent did not timely file semiannual campaign finance reports.

III. Facts Supported by Credible Evidence

Credible evidence available to the Commission supports the following findings of fact:

1. The respondent is a city council member for District 12 of the City of Dallas, Texas.

Filing of Semiannual Campaign Finance Reports

2. Sworn complaint SC-3150106 alleged that the respondent did not timely file her January 15, 2014, semiannual campaign finance report. The respondent had an active campaign treasurer appointment on file with the City of Dallas Secretary's Office during the period at issue. The respondent electronically filed her January 2014 report with the Dallas City Secretary on March 27, 2014. The January 2014 report disclosed the following relevant totals:

- \$1,000 in total political contributions;
 - \$100 in total political expenditures; and
 - \$7,336.36 in total political contributions maintained.
3. The respondent's response to sworn complaint SC-3150106 acknowledged that she filed her January 2014 campaign finance report late. The respondent swore that technical computer issues prevented her from filing the report timely because her computer system would not "sync" with the City of Dallas's website. The respondent also swore that she sought assistance from a computer technician who fixed the problem, which allowed her to file her report on March 27, 2014. The respondent did not address why it took two months to resolve her computer issues before filing her January 2014 report.
4. Sworn complaint SC-3150107 alleged that the respondent did not timely file her July 15, 2014, semiannual campaign finance report. The respondent had an active campaign treasurer appointment on file with the City of Dallas Secretary's Office during the period at issue. The respondent electronically filed her July 2014 report with the Dallas City Secretary on August 11, 2014. The July 2014 report disclosed the following relevant totals:
- \$0 in total political contributions;
 - \$0 in total political expenditures; and
 - \$7,336.76 in total political contributions maintained.
5. The respondent's response to sworn complaint SC-3150107 acknowledged that she filed her July 2014 campaign finance report late. She swore that she was out of town that month and didn't think she had to file a campaign finance report because she had no activity during the reporting period. She swore she decided to file the report in August because "I didn't want to have any gaps in my paperwork."

Challenge to Jurisdiction

6. The respondent alleged in both complaints that the complainant is a resident of New Mexico and not eligible under section 571.122(b-1) of the Government Code to file the sworn complaints.
7. The complainant maintains that he still resides in Dallas even though he relocated to New Mexico for work. The complainant submitted a document from the Dallas Central Appraisal District that listed the complainant as the owner of real property located in Dallas County, Texas.

IV. Findings and Conclusions of Law

The facts described in Section III support the following findings and conclusions of law:

Filing of Semiannual Campaign Finance Reports

1. A candidate shall file two reports for each year as provided by this section. ELEC. CODE § 254.063(a).
2. The first report shall be filed not later than July 15 and covers the period beginning January 1, the day the candidate's campaign treasurer appointment is filed, or the first day after the period covered by the last report required to be filed under this subchapter, as applicable, and continuing through June 30. *Id.* § 254.063(b).
3. The second report shall be filed not later than January 15 and covers the period beginning July 1, the day the candidate's campaign treasurer appointment is filed, or the first day after the period covered by the last report required to be filed under this subchapter, as applicable, and continuing through December 31. *Id.* § 254.063(c).
4. The respondent filed her January 15, 2014, semiannual campaign finance report on March 27, 2014. The report was 71 days late. Therefore, there is credible evidence of a violation of section 254.063(c) of the Election Code for sworn complaint SC-3150106.
5. The respondent filed her July 15, 2014, semiannual campaign finance report on August 11, 2014. The report was 27 days late. Therefore, there is credible evidence of a violation of section 254.063(b) of the Election Code for sworn complaint SC-3150107.

Challenge to Jurisdiction

6. To be eligible to file a sworn complaint with the Commission, an individual must be a resident of this state or must own real property in this state. GOV'T CODE § 571.122(b-1).
7. The complainant submitted a document from the Dallas Central Appraisal District that listed the complainant as the owner of real property located in Dallas County, Texas. Thus, as an owner of real property in Texas, the complainant was eligible to file the sworn complaints, as specified by section 571.122(b-1) of the Government Code.

V. Representations and Agreement by Respondent

By signing this order and agreed resolution and returning it to the Commission:

1. The respondent neither admits nor denies the facts described under Section III or the Commission's findings and conclusions of law described under Section IV, and consents to the entry of this order and agreed resolution solely for the purpose of resolving these sworn complaints.
2. The respondent consents to this order and agreed resolution and waives any right to further proceedings in these matters.
3. The respondent acknowledges that a candidate is required to file two reports for each year. The first report shall be filed not later than July 15. The report covers the period beginning January 1, the day the candidate's campaign treasurer appointment is filed, or the first day after the period covered by the last report required to be filed, as applicable, and continuing through June 30. The second report shall be filed not later than January 15, and cover the period beginning July 1, the day the candidate's campaign treasurer appointment is filed, or the first day after the period covered by the last report required to be filed, as applicable, and continuing through December 31.

The respondent agrees to comply with these requirements of the law.

VI. Confidentiality

This order and agreed resolution describes violations that the Commission has determined are neither technical nor *de minimis*. Accordingly, this order and agreed resolution is not confidential under section 571.140 of the Government Code and may be disclosed by members and staff of the Commission.

VII. Sanction

After considering the nature, circumstances, and consequences of the violations described under Sections III and IV, and after considering the sanction necessary to deter future violations, the Commission imposes a \$500 civil penalty.

VIII. Order

The Commission hereby orders that if the respondent consents to the proposed resolution, this order and agreed resolution is a final and complete resolution of SC-3150106 and SC-3150107.

AGREED to by the respondent on this _____ day of _____, 20____.

Sandy Greyson, Respondent

EXECUTED ORIGINAL received by the Commission on: _____.

Texas Ethics Commission

By: _____
Natalia Luna Ashley, Executive Director